

## Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /033 W  
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P R 121052Z JAN 78

FM AMEMBASSY LISBON

TO AMCONSUL PONTA DELGADA PRIORITY

INFO SECSTATE WASHDC 4343

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E.O. 11652: N/A

TAGS: EAIR, PO

SUBJECT: TWA ACCESS TO LAJES

REF: PONTA DELGADA 0026

1. QUESTION OF TWA ACCESS TO LAJES HAS BEEN CONTENTIOUS ISSUE FOR SEVERAL YEARS. GOP INSISTS THAT HISTORICAL INTERPRETATION OF OUR BILATERAL CIVIL AIR AGREEMENT HAS GRANTED U.S. AIRLINES ACCESS TO ONLY ONE AZOREAN AIRPORT, I.E., SANTA MARIA. GOP ACKNOWLEDGES THAT THIS HISTORICAL INTERPRETATION VIOLATES LETTER OF OUR BILATERAL WHICH REFERS TO AIRPORTS IN THE AZORES RATHER THAN MERELY TO SANTA MARIA. IT PREVIOUSLY CLAIMED THAT THE PORTUGUESE AIR FORCE STRONGLY OPPOSED TWA OPERATIONS AT LAJES ON THE GROUNDS THAT IT WOULD HAVE TO GRANT SIMILAR RIGHTS TO OTHER FOREIGN CARRIERS, E.G., AIR FRANCE, AEROFLOT AND CUBAN AIRLINES. MORE RECENTLY, HOWEVER, IT HAS DESISTED FROM THIS ARGUMENT, THEREBY STRENGTHENING OUR BELIEF THAT GOP SOUGHT MERELY TO PROTECT TAP'S MONOPOLY POSITION.

2. IN EARLY JUNE 1977 MINISTRY OF FOREIGN AFFAIRS PRESENTED EMBASSY WITH MEMORANDUM DEALING WITH THIS SUBJECT. PRESUMABLY THIS COMMUNICATION IS THE ONE TO WHICH GENERAL FIGUEIREDO REFERRED. MEMORANDUM AUTHORIZED TWA TO INITIATE

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OPERATIONS AT LAJES, BUT REQUIRED, I.E.M DID NOT MERELY PERMIT, TWA TO SUBLEASE ITS EXCESS CAPACITY BETWEEN AZORES AND MAINLAND TO TAP. TWA WAS NOT TO CARRY CABOTAGE TRAFFIC IN ITS OWN NAME. LEASE PRICE TO TAP WAS UNSPECIFIED, BUT GOP ORAL COMMENTS INDICATED THAT PRICE SHOULD BE EXTREMELY LOW. GOP DESCRIBED THIS REQUIREMENT AS COMPENSATION FOR GRANTING TWA ACCESS TO LAJES, WHICH IT ASSERTED

WAS A SPECIAL PRIVILEGE EXCEEDING RIGHTS GRANTED TWA UNDER OUR BILATERAL AGREEMENT. MEMORANDUM MADE NO MENTION OF 5TH FREEDOM TRAFFIC, NOR OF TWA'S RIGHT TO TRANSPORT CARGO BETWEEN LAJES AND MAINLAND.

3. ALTHOUGH MEMORANDUM DID NOT SATISFY USG INTERPRETATION OF OUR BILATERAL AGREEMENT, WE SUBSEQUENTLY CONCURRED IN THE PROPOSAL THAT TWA AND TAP DEVELOP AN OPERATIONAL PROCEDURE WHICH WOULD ENABLE TWA TO OPERATE AT LAJES. TWA HAS TRIED TO INITIATE SUCH DISCUSSION, BUT HAS BEEN UNABLE TO ENGAGE RESPONSIBLE TAP OFFICERS. LACK OF RESPONSE MAY, AS TAP STATES, STEM FROM THE AIRLINE'S MULTIPLE ORGANIZATIONAL AND OPERATIONAL PROBLEMS. PART OF THE REASON, HOWEVER, UNDOUBTEDLY IS TAP'S BASIC OPPOSITION TO TWA OPERATIONS AT LAJES. IN EFFECT, ALTHOUGH FOREIGN MINISTRY THEORETICALLY AUTHORIZED TWA ACCESS TO LAJES, THE PRE-CONDITIONS IT SET HAVE PROVEN TO BE AN INSURMOUNTABLE OBSTACLE.

4. EMBASSY, DESPITE ITS REQUEST FOR CLARIFICATION, HAS RECEIVED NO COMMUNICATION WHICH STATES THAT TWA FLIGHTS TO/FROM LAJES MAY CARRY 5TH FREEDOM TRAFFIC OR WHICH ADDRESSES QUESTION OF TWA CARGO RIGHTS AT LAJES.

5. TWA INFORMED USG LAST SUMMER THAT, GIVEN DELAYS IT WAS EXPERIENCING IN OBTAINING OPERATING AUTHORIZATION FOR LAJES, LIMITED OFFICIAL USE

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IT COULD NOT EXPECT TO INITIATE SERVICE TO LAJES BEFORE THE SPRING OF 1978. CONSIDERING THAT INTER-COMPANY DISCUSSIONS HAVE SINCE MADE NO PROGRESS AND THAT GOP HAS NOT BEEN DISPOSED TO PRESS THIS ISSUE, EMBASSY BELIEVES THAT, EVEN IF ALL LEGAL IMPEDIMENTS ARE REMOVED, TWA WILL NOT BE ABLE TO BEGIN SERVING LAJES BY MARCH OR APRIL UNLESS TAP AND GOP ATTITUDES UNDERGO A QUICK, RADICAL CHANGE.  
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## Message Attributes

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**Decaption Date:** 01 jan 1960  
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**Disposition Approved on Date:**  
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**TAGS:** EAIR, PO, TWA  
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**Review Markings:**  
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